

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

-----X
:
Tom Brady, Drew Brees, Vincent Jackson, Ben : No: 11-cv-00639-SRN-JJG
Leber, Logan Mankins, Peyton Manning, Von :
Miller, Brian Robison, Osi Umenyiora, and :
Mike Vrabel, individually, and on behalf of all :
others similarly situated : Declaration of Richard A.
: Berthelsen in Opposition to
Plaintiffs, : Defendants' Motion For a Stay
:
vs. :
:
NATIONAL FOOTBALL LEAGUE, et al., :
:
Defendants. :

----- X

Richard A. Berthelsen, being duly sworn, deposes and states as
follows:

1. I am General Counsel of the National Football League
Players Association ("NFLPA"), and have served in that capacity since 1983. In
addition, from August 21, 2008 to March 15, 2009, I served as Interim Executive
Director after the death of Executive Director Gene Upshaw. I have been an
attorney for the NFLPA since 1972. I make this declaration in opposition to the
Defendants' motion for a stay of this Court's decision to enjoin the NFL's
"lockout." *See Brady v. NFL*, No. 11-639 (SRN/JJG) (D. Minn. filed on April 25,
2011); *see also* Exhibit A (Lockout Letter).

2. As one who has experienced the opening of free agent negotiations every off-season in the past 18 years, I believe there will be no detriment to any NFL club by the Court's lifting of the current lockout. I also believe that lifting the lockout immediately is the only way to preserve the 2011 season announced by the NFL, given the need to sign free agents, to complete the NFL draft and sign drafted players, to plan and to hold training camp, and to plan for the season itself.

3. In fact, any stay of the injunction and continuation of the lockout would actually be a detriment to NFL clubs, as the league has stated that it will lose money during the lockout totaling \$1 billion before a single game is even cancelled. *See NFL: Staggering Financial Losses would Follow Lockout*, USA Today, January 28, 2011, attached as Ex. B. With the lockout enjoined, the clubs can go back to operating their multi-billion dollar business and making enormous amounts of money, as they did previously. If the lockout is lifted and then this Court's ruling were to be overturned, the NFL presumably would reinstitute the lockout, and some players who were previously locked-out free agents or unsigned rookies would possibly then be locked-out players with contracts. This would simply move these players from one sub-class in this action to another. *See* Compl. at ¶ 25 (defining "Under-Contract Subclass," "Free Agent Subclass," and "Rookie Subclass").

4. The NFL's argument that lifting the lockout, even temporarily, will have a purported effect on "competitive balance," because allegedly a small number of teams will sign all of the top free agents, is unfounded and contrary to all NFL historical evidence. There is absolutely no evidence suggesting that this would come to pass. In fact, the two most recent seasons that were played without a salary cap in place (where a limited number of teams could theoretically dominate the free agent market) suggest just the opposite. In 2010, the last season covered by the expired Collective Bargaining Agreement ("CBA") and White Stipulation and Settlement Agreement ("SSA"), the league operated without a salary cap and there was no harm to competitive balance. Indeed, the teams in the Super Bowl were the Green Bay Packers and the Pittsburgh Steelers, two small market teams. There was also no salary cap in 1993, the first year of the recently expired White SSA and CBA, without any discernable harm to competitive balance. For example, in that year, Hall of Fame defensive end Reggie White, at that time the most high profile free agent in NFL history, chose to sign with the small market Green Bay Packers.

5. The NFL's arguments that without a stay the NFL would be thrown into a state of chaos are also wrong. First, the NFL dramatically overstates the complexity of implementing a new system. All that is required is for the NFL to inform its teams of the rules it intends to implement, as it has done in the past. Indeed, as described below, it appears that the NFL has already decided what

player system it intends to implement if the lockout is lifted, including at least some of the aspects of the system that was in place in 2010. The NFL also has a history of smoothly adopting new player systems, including implementing “Plan B” in 1989, the White uncapped system in 2003, the imposition of a cap in 2004, the changes to the system in 2006, and the removal of the cap and new free agency rules in 2010.

6. Prior to the scheduled end of the 2010 league year on March 3 of this year, all 32 clubs sent contract tenders for the 2011 season to free agent players, treating them as if the NFL intends to keep in place 2010 rules relating to so-called Restricted Free Agents, Franchise Players, and Transition Players. They did so by following the free agent rules which were in effect during the last year of the CBA and SSA. Under the 2010 system, players who were not under contract and had less than six accrued seasons in the league were considered to be “restricted free agents” and were subject to certain rules that limited their ability to sign with clubs other than their immediately preceding club. Before March 3 of this year, the clubs sent Restricted Free Agent Tenders to players with expiring contracts who had less than six accrued seasons. Also under the 2010 system, each club had the right to designate one player with an expiring contract as a so-called “Franchise Player” and one player as a so-called “Transition Player.” Before March 3 of this year, those designations were again made by various clubs, with an example being the Philadelphia Eagles, who designated Michael Vick as a

Franchise Player and David Akers as a Transition player. In addition, Plaintiffs Jackson, Mankins, and Manning all have been designated as Franchise Players.

7. By making the Restricted Free Agent tenders and the Franchise Player and Transition Player tenders described in the preceding paragraph, the 32 Clubs appeared to be acting as if they have already been told by the NFL that the league intends to continue, at least in part, the 2010 player system if the lockout is lifted. Also, talent evaluators and coaches for all 32 NFL Clubs have no doubt spent considerable time evaluating their rosters since the end of the 2010 season, and decided which free agents they would be interested in pursuing once the 2011 League Year begins and the free agent signing period opens. Indeed, they have had even more time to do so in 2011 as compared to prior years because of the lockout. It will thus be easy for the 32 Clubs to immediately proceed with the free agent signing period and other business if the lockout ends.

8. The NFL clubs and the league have taken other significant steps to prepare for the upcoming season. For example, the NFL announced the complete pre-season schedule for 2011 on April 13 of this year, and the regular season schedule was released one week later. (*See* articles from NFL website, attached as Exs. C-E). The league is also conducting the annual college draft beginning on April 28, 2011 and running through April 30, 2011. Approximately 254 college players will be selected in that draft by the 32 NFL clubs, and the draftees will eventually be signed to NFL player contracts. Although the clubs

have historically been allowed to begin negotiations with a drafted player immediately after the draft, most of the signings of drafted players occur in July of each year, shortly before pre-season training camps typically begin. This would likely be the case in 2011 as well, giving the clubs several months in which to sign their drafted players.

9. It is therefore simply not credible for the NFL to claim that they are unprepared to resume operations and to conduct their normal off-season activities. In fact, the league has announced that it expects to play a full season in 2011. *See Exclusive: Roger Goodell criticizes NFL players' legal strategy*, USA Today, April 22, 2011 (hereinafter “*Roger Goodell Exclusive*”) (quoting NFL Commissioner Roger Goodell as stating “we’re planning to play a full 16-game regular season and playoffs”), attached as Ex. F. In order to accomplish this, unsigned players must be given the opportunity to sign with teams and teams must hold training camps. In order for the NFL to meet its just announced schedule (under which the first pre-season game will be played on August 7, 2011 and the first regular season game on September 8, 2011), it is necessary to permit the signing of free agent and rookie players very soon. No one knows when the 8th Circuit would rule in the NFL’s appeal, and free agency can not be delayed while waiting for that ruling. Given the steps that need to be taken for the season to begin, the risk that the 2011 season will be adversely affected is much greater if the lockout continues than if the lockout remains enjoined.

10. The NFL's assertion that this case raises "novel" issues regarding this Court's jurisdiction and the applicability of the nonstatutory labor exemption is also without merit. These issues have been decided previously by this Court, and in a manner consistent with the Court's current decision. *See Powell/McNeil v. NFL*, 764 F. Supp. 1351, 1357-58 (D. Minn. 1991) (rejecting the NFL's arguments that the Court must defer to the jurisdiction of NLRB and determining that the nonstatutory labor exemption ended when the players renounced the NFLPA's status as their collective bargaining representative); *Jackson v. NFL*, 802 F. Supp. 226, 232-34 (D. Minn. 1992) (finding that the Norris LaGuardia Act did not bar injunctive relief where "the non-statutory labor exemption terminated after the players abandoned their union").

11. Moreover, any purported harm claimed by the NFL is entirely self-inflicted. The 32 Club owners chose on their own to terminate the CBA early and lockout the players, and they can not possibly claim any surprise at the NFLPA's abandonment of bargaining rights and the present lawsuit. They have known for months, if not years, that implementing a lockout could put them in the very situation they are in now. Indeed, the fact that NFL players might choose to withdraw the NFLPA's authorization to collectively bargain at the end of the most recent agreements was expressly contemplated in those agreements.

12. As the Court found, the NFL players are being irreparably harmed by the lockout. The NFL has already delayed the beginning of free

agency for over a month, and is now seeking a stay to further delay NFL players from having the opportunity to sign contracts and/or get back to work. The NFL has taken numerous steps to prepare for the resumption of league operations, and the players should not be prevented from working for even one day longer.

13. A stay allowing the “lockout” to continue would also cause severe harm to fans, communities, and a myriad of businesses that rely on the NFL for their viability. Indeed, the Commissioner of the NFL has acknowledged that the longer the uncertainty around the 2011 season continues unresolved the worse it is for everybody: “That’s why we think that the longer it goes, it’s bad for players, the clubs, our partners, and the fans.” *See Roger Goodell Exclusive*, attached as Ex. F.

14. If the Court, however, were inclined to grant a stay, the Defendants would need to post a significant bond in order to protect the players’ rights, which would need to total at least \$1 billion. We simply don’t know how long any stay would last, and it could cause the cancellation of NFL games. Given that league-wide payroll for the 2010 season exceeded \$3.93 billion in salary alone, a \$1 billion bond would represent only about twenty-five percent of payroll. Even at this amount, the bond would be significantly less than the treble damages that the NFL could be liable for at the end of this antitrust suit.

Dated: April 27, 2011

s/Richard A. Berthelsen

Richard A. Berthelsen



NATIONAL FOOTBALL LEAGUE

Dennis Curran
Senior Vice President
of Labor Litigation & Policy

March 11, 2011

VIA EMAIL

DeMaurice Smith
Executive Director
National Football League Players Association
1133 20th Street, N.W.
Washington, DC 20036

Dear De:

Please be advised that, assuming the National Football League ("NFL") and the National Football League Players Association ("Union") have not agreed upon terms for a collective bargaining agreement by 11:59 p.m. on March 11, 2011 (when the parties' current agreement expires), the NFL's member Clubs will institute a lockout of members of the Union's bargaining unit immediately thereafter.

In the event of a lockout, Clubs will be delivering letters to their players in the form attached hereto. Should you have any questions, please do not hesitate to contact me.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Dennis Curran".

Dennis Curran

cc: Roger Goodell
Jeff Pash
Richard Berthelsen

Berthelsen Decl. Ex. A

[On Club Letterhead]

March 11, 2011

[Player Name]

[Address]

Dear [Player Name]:

This is to inform you that the [Club Name] ("Club") will institute a lockout of its players at 12:00 a.m. Eastern time on March 12, 2011.

During the lockout, the following will be in effect:

1. You may not enter any Club facility or the stadium, except for the purpose of attending a non-Club event or Club charitable event.
2. You will not receive any compensation from the Club.
3. The Club will not pay for or provide health insurance or other active-player benefits or services. You have already received separate communications regarding your option to pay for health benefits continuation under COBRA.
4. You will not be permitted to perform any services under your Player Contract or otherwise perform any duties for the Club. This includes, but is not limited to, any duties you would otherwise be performing at Club facilities, such as playing, practicing, working out, attending meetings, consulting with Club medical or training staff (except as provided below), and making promotional appearances for the Club.
5. Testing and treatment obligations under the Policy and Program for Substances of Abuse and Policy on Anabolic Steroids and Related Substances will cease.
6. If you need information from the Club's human resources department (such as copies of your tax information, child support correspondence, or to arrange collection of personal property you may have left on Club premises), please call [human resources representative's name and title] at [contact number].
7. Except for the human resources representative noted above, Club personnel (coaches, trainers and other non-player staff) will not communicate with you regarding football or any other Club or NFL business issues. This means that they will not communicate with you regarding any issues relating to your current or potential contract terms, or about collective bargaining negotiations between the NFL and the Union.

This will be the case whether you are currently under contract with the Club or not.

8. If you have an agent, the same procedures stated above concerning access to Club facilities and communications with the Club will apply to your agent.
9. The Club will not give you any further instructions or guidance as to workouts or training.
10. Except for injured players rehabilitating from football-related injuries, the Club will not provide, arrange or pay for facilities, equipment or other services relating to training or workouts. Injured players will receive a separate letter regarding their treatment and rehabilitation during a lockout. Clubs will not provide or pay for treatment for non-football related injuries or illnesses.
11. Club security and Player Development staff will not assist you with legal or other problems.
12. If you engage in any activities during the lockout, even training, you do so at your own risk. Any injury resulting from such activities will not be the responsibility or liability of the Club or the NFL. You are free to engage in alternate employment during the lockout, but you will not be protected by the Club or the NFL against injuries during such employment. Once a new labor agreement is reached between the NFL and the Union, you may be expected to report to the Club immediately. Therefore, you should structure any alternate employment so you can return to the Club promptly after a new labor agreement is reached.

Should you have any questions, please contact the NFL Players Association.

Sincerely,

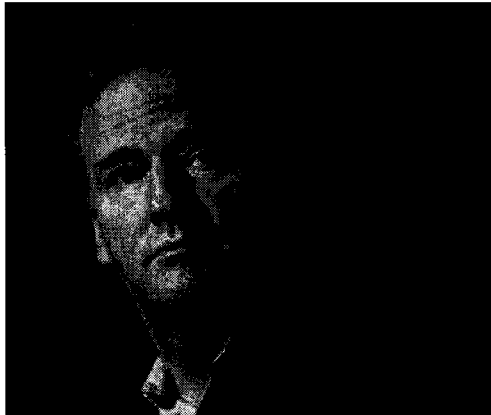
[Club Executive]

NFL: Staggering financial losses would follow lockout

Updated 1/28/2011 2:13:23 PM |

By Tom Pedulla, USA TODAY

NEW YORK — NFL officials emphasized their resolve to reach a new labor agreement by early March in pointing to potentially staggering financial losses for both sides if a prolonged stalemate occurs.



By

Gretchen Ertl for USA TODAY Roger Goodell presides over a league that could face a work stoppage in 2011.

Enlarge

By Gretchen Ertl for USA TODAY

Roger Goodell presides over a league that could face a work stoppage in 2011.

"There are very powerful reasons for both sides to get an agreement by the beginning of March. We have our frustrations with the union and I would guess they have some

frustrations with us, but I think they know that, too," said Jeff Pash, general counsel to the NFL, during a 90-minute media briefing Thursday at league headquarters.

Pash added, "Hundreds of players stand to lose potentially hundreds of millions of dollars if we do not have an agreement by early March and are not able to proceed with the ordinary course of player transactions."

The collective bargaining agreement officially ends March 4. Owners, who are pushing to add two games to create an 18-game regular season and put limits on rookie salaries among other proposals, can opt to lock out players after that.

THE HUDDLE: Goodell will take \$1 salary if lockout occurs

ANTONIO CROMARTIE: Threatens Matt Hasselbeck in CBA dispute

Based on contracts in effect as of Wednesday, the league says \$143.5 million is due to 74 players in March based on various bonuses and salary advances. If the NFL returns to a salary cap after an uncapped year and free agency is based on four seasons as it was before, the league says

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there would be a record 495 free agents.

NFL Players Association executive director DeMaurice Smith has often accused ownership of being intent on a lockout. League representatives countered by estimating that revenue lost would total \$120 million in March, \$350 million by August and \$1 billion if no agreement can be reached in September.

The damage in lost revenue would escalate to more than \$400 million per week if the regular season arrives and no games are played, they said.

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NFL treasurer Joe Sinclair said the potential for an interruption is already taking a toll. "Uncertainty affects our ability to generate revenues," he said. "We have already begun

to see the effect of that uncertainty."

League spokesman Greg Aiello said half of the 32 teams either have announced, or plan to announce, that they will not raise ticket prices for next season.

According to Pash, the league has ambitious plans moving forward that include investments in new stadiums in Los Angeles (in order to establish a team in that lucrative television market) and the Bay Area as well as Minnesota and Atlanta. But he contended that the current business model works against that, saying players received approximately 70% — or \$3.8 billion — of incremental revenues that totaled \$5.5 billion from 2006-09.

Although no new negotiating sessions are scheduled, Pash offered hope that a stoppage can be averted.

"In the face of considerable evidence to the contrary, I continue to be optimistic that we can accomplish this (by March 4)," he said. "I'm not saying we will, but that we can."

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He also held out the possibility of having business proceed as usual beyond March 4 while talks are ongoing.

"If we're making progress and negotiations are proceeding toward a conclusion, you can stop the clock," he said,

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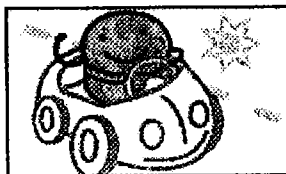

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Bears-Rams game set to kick off 2011 preseason schedul

NFL.com

Published: April 12, 2011 at 03:58 p.m. Updated: April 13, 2011 at 07:49 p.m. Liked: 149 | Comments: 300

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The NFL on Tuesday announced its schedule of nationally televised 2011 preseason games, starting with the Chicago Bears and St. Louis Rams in the Pro Football Hall of Fame Game on Sunday, Aug. 7 (NBC, 8 p.m. ET) in Canton, Ohio.

Two emerging teams -- the Kansas City Chiefs and Tampa Bay Buccaneers -- will be showcased in prime time Friday, Aug. 12 (FOX, 8 p.m. ET).

The Super Bowl champion Green Bay Packers will travel to Indianapolis on Friday, Aug. 26 (CBS, 8 p.m. ET) for their first nationally televised game since defeating the Pittsburgh Steelers in Super Bowl XLV.

Exact dates and times for games not shown on national TV will be announced later.

Berthelsen Decl. Ex. C

2011 NFL preseason national television schedule

Date	Matchup	TV (time)
Hall of Fame Game		
Sunday, Aug. 7	Chicago vs. St. Louis in Canton, Ohio	NBC (8 p.m. ET)
Week 1 (Aug. 11-15)		
Thursday, Aug. 11	Seattle at San Diego	ESPN (8 p.m. ET)
Friday, Aug. 12	Tampa Bay at Kansas City	FOX (8 p.m. ET)
Monday, Aug. 15	N.Y. Jets at Houston	ESPN (8 p.m. ET)
Week 2 (Aug. 18-22)		
Thursday, Aug. 18	Philadelphia at Pittsburgh	FOX (8 p.m. ET)

Friday, Aug. 19	Atlanta at Jacksonville	FOX (8 p.m. ET)
Monday, Aug. 22	Chicago at N.Y. Giants	ESPN (8 p.m. ET)
Week 3 (Aug. 25-28)		
Thursday, Aug. 25	Washington at Baltimore	ESPN (8 p.m. ET)
Friday, Aug. 26	Green Bay at Indianapolis	CBS (8 p.m. ET)
Saturday, Aug. 27	New England at Detroit	CBS (8 p.m. ET)
Sunday, Aug. 28	New Orleans at Oakland	NBC (8 p.m. ET)

2011 NFL preseason schedule (All times ET)**Hall of Fame Game**

Date	Matchup
Aug. 7	Chicago vs. St. Louis in Canton, Ohio, 8 p.m. (NBC)

Week 1 (Aug. 11-15)

Aug. 11	Seattle at San Diego, 8 p.m. (ESPN)
Aug. 12	Tampa Bay at Kansas City, 8 p.m. (FOX)
TBA	Arizona at Oakland
TBA	Baltimore at Philadelphia
TBA	Buffalo at Chicago
TBA	Cincinnati at Detroit
TBA	Denver at Dallas
TBA	Green Bay at Cleveland
TBA	Indianapolis at St. Louis
TBA	Jacksonville at New England
TBA	Miami at Atlanta
TBA	Minnesota at Tennessee
TBA	N.Y. Giants at Carolina
TBA	Pittsburgh at Washington
TBA	San Francisco at New Orleans
Aug. 15	N.Y. Jets at Houston, 8 p.m. (ESPN)

Week 2 (Aug. 18-22)

Date	Matchup
Aug. 18	Philadelphia at Pittsburgh, 8 p.m. (FOX)
Aug. 19	Atlanta at Jacksonville, 8 p.m. (FOX)
TBA	Arizona at Green Bay
TBA	Buffalo at Denver
TBA	Carolina at Miami
TBA	Cincinnati at N.Y. Jets
TBA	Detroit at Cleveland
TBA	Kansas City at Baltimore
TBA	Minnesota at Seattle
TBA	New England at Tampa Bay
TBA	New Orleans at Houston
TBA	Oakland at San Francisco
TBA	San Diego at Dallas
TBA	Tennessee at St. Louis
TBA	Washington at Indianapolis
Aug. 22	Chicago at N.Y. Giants, 8 p.m. (ESPN)

Week 3 (Aug. 25-28)

Date	Matchup
Aug. 25	Washington at Baltimore, 8 p.m. (ESPN)
Aug. 26	Green Bay at Indianapolis, 8 p.m. (CBS)
TBA	Atlanta at Pittsburgh
TBA	Carolina at Cincinnati
TBA	Chicago at Tennessee
TBA	Cleveland at Philadelphia
TBA	Dallas at Minnesota
TBA	Houston at San Francisco
TBA	Jacksonville at Buffalo
TBA	Miami at Tampa Bay
TBA	N.Y. Jets at N.Y. Giants
TBA	San Diego at Arizona
TBA	Seattle at Denver
TBA	St. Louis at Kansas City
Aug. 27	New England at Detroit, 8 p.m. (CBS)
Aug. 28	New Orleans at Oakland, 8 p.m. (NBC)
Week 4 (Sept. 1-2)	
Date	Matchup
TBA	Baltimore at Atlanta
TBA	Cleveland at Chicago
TBA	Dallas at Miami
TBA	Denver at Arizona
TBA	Detroit at Buffalo
TBA	Houston at Minnesota
TBA	Indianapolis at Cincinnati
TBA	Kansas City at Green Bay
TBA	N.Y. Giants at New England
TBA	Oakland at Seattle
TBA	Philadelphia at N.Y. Jets
TBA	Pittsburgh at Carolina
TBA	San Francisco at San Diego
TBA	St. Louis at Jacksonville
TBA	Tampa Bay at Washington
TBA	Tennessee at New Orleans

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Super Bowl champion Packers, Saints to kick off 2011 season

- NFL.com Wire Reports
- Published: April 19, 2011 at 06:48 p.m.
- Updated: April 19, 2011 at 10:54 p.m.

The NFL announced Tuesday that it will ring in the 2011 season with a meeting between the last two Super Bowl champions in the Sept. 8 Kickoff game.

The Green Bay Packers, who defeated the Pittsburgh Steelers in Super Bowl XLV, will play host to the New Orleans Saints, who topped the Indianapolis Colts in Super Bowl XLIV, at 8:30 p.m. ET at Lambeau Field in a nationally televised Thursday game on NBC.

The game pits two of the league's top-five passing offenses from the 2010 season. The third-ranked Saints and Drew Brees averaged 277.6 yards per game through the air, and the No. 5 Packers averaged 257.8 behind Aaron Rodgers.

It's the marquee matchup on a schedule that also features both New York teams and the Washington Redskins in action on the 10th anniversary of the terrorist attacks on the World Trade Center in Manhattan and the Pentagon in Arlington, Va., outside Washington, D.C.

The New York Giants will visit the Washington Redskins, and the New York Jets will play host to the Dallas Cowboys in the Sept. 11 games.

The NFL and its locked-out players are in mediation over a new labor agreement, and there is a risk the season might not begin on time – if at all – but Commissioner Roger Goodell said Tuesday that the league has “every intention of playing a full schedule.”

“We’re doing all we can to prepare for the 2011 season,” Goodell said in Minneapolis, where he attended the third day of court-ordered mediation before U.S. Magistrate Judge Arthur Boylan. “We’re announcing the schedule as usual, around this time of year, because we know that is an important point where fans start looking forward to the season, and I think there’s every reason for them to do that. ... We’ve set the schedule up to play the full 16-game schedule, and that’s certainly our intention, that’s how we put the schedule together, and we certainly are working towards that.”

2011 NFL schedule



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The first Sunday features several high-profile games, including Indianapolis at Houston and Atlanta at Chicago. But much of the national focus will be on Washington and New York, the cities most affected by the terrorist attacks of Sept. 11, 2001.

"That stadium is going to be full of emotion, not only the people from the area, but in the entire country," said Jets coach Rex Ryan, who will match wits with his twin brother, Cowboys defensive coordinator Rob Ryan. "The fact that it's the 10th anniversary of 9/11, that's where the focus should be, not me playing against my brother."

The Redskins and Giants kick off at 4:15 p.m. ET, with the Jets and Cowboys at 8:20 p.m. ET.

"For nearly 10 years, we have felt an obligation to use our platform to make sure none of us ever forget the tragedy and heartbreak and courage and heroism of Sept. 11," Giants spokesman Pat Hanlon said. "That responsibility becomes even greater."

The Pittsburgh Steelers also will play on Sept. 11, visiting the Baltimore Ravens. Pittsburgh is just 80 miles from the site near Shanksville, Pa., where Flight 93 crashed on Sept. 11, 2001.

New England travels to Miami, and Oakland visits Denver on the opening Monday night.

The final Sunday of the regular season falls on New Year's Day, when all 16 scheduled games are between division rivals, enhancing the potential for playoff ramifications.

The regular season covers 17 weeks, with the opening round of the playoffs scheduled for Jan. 7-8, 2012, and the Super Bowl on Feb. 5, 2012, in Indianapolis.

The NFL has expressed a desire to stretch the season to 18 games, one of the sticking points in the contentious fight between owners and players over a new labor agreement.

In its statement announcing next season's schedule, the NFL didn't provide contingencies should negotiations on a new collective bargaining agreement stretch into the fall.

"I'm confident we will have (a) season," Rex Ryan said Tuesday night. "We're going to be ready to play. Whenever they say, 'OK, we're going back to work,' we'll be ready to play."

Among other schedule highlights, the Tampa Bay Buccaneers will face the Chicago Bears at Wembley Stadium on Oct. 23, one of two games outside the United States and the fifth consecutive year the NFL has played a regular-season game in suburban London.

The Bucs lost to the New England Patriots at Wembley in 2009; the Bears will be marking the 25th anniversary of their preseason game against the Cowboys in England.

The Buffalo Bills will play a game in Canada for the fourth consecutive season, playing host to the Redskins on Oct. 30 at Rogers Centre in Toronto. The Bills have a deal with Rogers Communications through 2012 to play five regular-season games in Canada's largest city.

The Thanksgiving Day games are Packers at Detroit, Miami at Dallas and San Francisco at Baltimore, with new 49ers coach Jim Harbaugh facing Ravens coach John Harbaugh in the first meeting between sibling head coaches in NFL history.

The Packers play the Bears in the only Christmas Day game. There are 13 games scheduled for Dec. 24, including the Giants against the Jets.

The NFL will again use "flexible scheduling" for Weeks 10 through 15 and the final week of the regular season, allowing the league to move the start times for select games.

The Associated Press contributed to this report.



2011 Regular Season

Week 1	
Thu. Sep. 08	
Matchup	Time (ET)
Saints at Packers	8:30 PM
Sun. Sep. 11	
Matchup	Time (ET)
Steelers at Ravens	1:00 PM
Bengals at Browns	1:00 PM
Colts at Texans	1:00 PM
Titans at Jaguars	1:00 PM
Falcons at Bears	1:00 PM
Bills at Chiefs	1:00 PM
Eagles at Rams	1:00 PM
Lions at Buccaneers	1:00 PM
Seahawks at 49ers	4:15 PM
Giants at Redskins	4:15 PM
Vikings at Chargers	4:15 PM
Panthers at Cardinals	4:15 PM
Cowboys at Jets	8:20 PM
Mon. Sep. 12	
Matchup	Time (ET)
Patriots at Dolphins	7:00 PM
Raiders at Broncos	10:15 PM

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2011 Regular Season

Sun. Sep. 18	
Matchup	Time (ET)
Chiefs at Lions	1:00 PM
Seahawks at Steelers	1:00 PM
Raiders at Bills	1:00 PM
Packers at Panthers	1:00 PM
Ravens at Titans	1:00 PM
Browns at Colts	1:00 PM
Buccaneers at Vikings	1:00 PM
Cardinals at Redskins	1:00 PM
Bears at Saints	1:00 PM
Jaguars at Jets	1:00 PM
Cowboys at 49ers	4:05 PM
Chargers at Patriots	4:15 PM
Bengals at Broncos	4:15 PM
Texans at Dolphins	4:15 PM
Eagles at Falcons	8:20 PM
Mon. Sep. 19	
Matchup	Time (ET)
Rams at Giants	8:30 PM

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2011 Regular Season

Week 3	
Sun. Sep. 25	
Matchup	Time (ET)
Patriots at Bills	1:00 PM
Lions at Vikings	1:00 PM
Giants at Eagles	1:00 PM
Jaguars at Panthers	1:00 PM
49ers at Bengals	1:00 PM
Texans at Saints	1:00 PM
Dolphins at Browns	1:00 PM
Broncos at Titans	1:00 PM
Chiefs at Chargers	4:05 PM
Ravens at Rams	4:05 PM
Jets at Raiders	4:05 PM
Packers at Bears	4:15 PM
Falcons at Buccaneers	4:15 PM
Cardinals at Seahawks	4:15 PM
Steelers at Colts	8:20 PM
Mon. Sep. 26	
Matchup	Time (ET)
Redskins at Cowboys	8:30 PM

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2011 Regular Season

Sun. Oct. 02	
Matchup	Time (ET)
Saints at Jaguars	1:00 PM
Vikings at Chiefs	1:00 PM
Panthers at Bears	1:00 PM
Titans at Browns	1:00 PM
Steelers at Texans	1:00 PM
49ers at Eagles	1:00 PM
Redskins at Rams	1:00 PM
Bills at Bengals	1:00 PM
Lions at Cowboys	1:00 PM
Giants at Cardinals	4:05 PM
Falcons at Seahawks	4:05 PM
Broncos at Packers	4:15 PM
Patriots at Raiders	4:15 PM
Dolphins at Chargers	4:15 PM
Jets at Ravens	8:20 PM
Mon. Oct. 03	
Matchup	Time (ET)
Colts at Buccaneers	8:30 PM

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2011 Regular Season

Sun. Oct. 09	
Matchup	Time (ET)
Saints at Panthers	1:00 PM
Eagles at Bills	1:00 PM
Bengals at Jaguars	1:00 PM
Seahawks at Giants	1:00 PM
Titans at Steelers	1:00 PM
Raiders at Texans	1:00 PM
Chiefs at Colts	1:00 PM
Cardinals at Vikings	1:00 PM
Buccaneers at 49ers	4:05 PM
Chargers at Broncos	4:15 PM
Jets at Patriots	4:15 PM
Packers at Falcons	8:20 PM
Mon. Oct. 10	
Matchup	Time (ET)
Bears at Lions	8:30 PM

Byes: BAL, CLE, DAL, MIA, STL, WAS

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2011 Regular Season

Week 7	
Sun. Oct. 16	
Matchup	Time (ET)
Panthers at Falcons	1:00 PM
Eagles at Redskins	1:00 PM
Bills at Giants	1:00 PM
Colts at Bengals	1:00 PM
Jaguars at Steelers	1:00 PM
49ers at Lions	1:00 PM
Rams at Packers	1:00 PM
Texans at Ravens	4:05 PM
Browns at Raiders	4:05 PM
Saints at Buccaneers	4:15 PM
Cowboys at Patriots	4:15 PM
Vikings at Bears	8:20 PM
Mon. Oct. 17	
Matchup	Time (ET)
Dolphins at Jets	8:30 PM

Byes: ARI, DEN, KC, SD, SEA, TEN

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2011 Regular Season

Week 7	
Sun. Oct. 23	
Matchup	Time (ET)
Texans at Titans	1:00 PM
Seahawks at Browns	1:00 PM
Falcons at Lions	1:00 PM
Broncos at Dolphins	1:00 PM
Chargers at Jets	1:00 PM
Bears at Buccaneers	1:00 PM
Redskins at Panthers	1:00 PM
Chiefs at Raiders	4:05 PM
Steelers at Cardinals	4:05 PM
Packers at Vikings	4:15 PM
Rams at Cowboys	4:15 PM
Colts at Saints	8:20 PM
Mon. Oct. 24	
Matchup	Time (ET)
Ravens at Jaguars	8:30 PM

Byes: BUF, CIN, NE, NYG, PHI, SF

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2011 Regular Season

Week 8	
Sun. Oct. 30	
Matchup	Time (ET)
Colts at Titans	1:00 PM
Jaguars at Texans	1:00 PM
Cardinals at Ravens	1:00 PM
Dolphins at Giants	1:00 PM
Vikings at Panthers	1:00 PM
Saints at Rams	1:00 PM
Redskins at Bills	4:05 PM
Lions at Broncos	4:05 PM
Browns at 49ers	4:15 PM
Bengals at Seahawks	4:15 PM
Patriots at Steelers	4:15 PM
Cowboys at Eagles	8:20 PM
Mon. Oct. 31	
Matchup	Time (ET)
Chargers at Chiefs	8:30 PM

Byes: ATL, CHI, GB, NYJ, OAK, TB

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2011 Regular Season

Week 9	
Sun. Nov. 06	
Matchup	Time (ET)
Jets at Bills	1:00 PM
Buccaneers at Saints	1:00 PM
Falcons at Colts	1:00 PM
Seahawks at Cowboys	1:00 PM
Dolphins at Chiefs	1:00 PM
49ers at Redskins	1:00 PM
Browns at Texans	1:00 PM
Broncos at Raiders	4:05 PM
Bengals at Titans	4:05 PM
Rams at Cardinals	4:15 PM
Giants at Patriots	4:15 PM
Packers at Chargers	4:15 PM
Ravens at Steelers	8:20 PM
Mon. Nov. 07	
Matchup	Time (ET)
Bears at Eagles	8:30 PM

Byes: CAR, DET, JAC, MIN

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2011 Regular Season

Week 10 - November 10-14, 2011	
Thu. Nov. 10	
Matchup	Time (ET)
Raiders at Chargers	8:20 PM
Sun. Nov. 13	
Matchup	Time (ET)
Saints at Falcons	1:00 PM
Lions at Bears	1:00 PM
Jaguars at Colts	1:00 PM
Broncos at Chiefs	1:00 PM
Steelers at Bengals	1:00 PM
Titans at Panthers	1:00 PM
Texans at Buccaneers	1:00 PM
Redskins at Dolphins	1:00 PM
Rams at Browns	1:00 PM
Bills at Cowboys	1:00 PM
Cardinals at Eagles	1:00 PM
Ravens at Seahawks	4:05 PM
Giants at 49ers	4:15 PM
Patriots at Jets	8:20 PM
Mon. Nov. 14	
Matchup	Time (ET)
Vikings at Packers	8:30 PM

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2011 Regular Season

Thu. Nov. 17	
Matchup	Time (ET)
Jets at Broncos	8:20 PM
Sun. Nov. 20	
Matchup	Time (ET)
Bengals at Ravens	1:00 PM
Cowboys at Redskins	1:00 PM
Bills at Dolphins	1:00 PM
Titans at Falcons	1:00 PM
Raiders at Vikings	1:00 PM
Jaguars at Browns	1:00 PM
Panthers at Lions	1:00 PM
Buccaneers at Packers	1:00 PM
Seahawks at Rams	4:05 PM
Cardinals at 49ers	4:05 PM
Chargers at Bears	4:15 PM
Eagles at Giants	8:20 PM
Mon. Nov. 21	
Matchup	Time (ET)
Chiefs at Patriots	8:30 PM

Byes: HOU, IND, NO, PIT

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2011 Regular Season

Week 12	
Thu. Nov. 24	
Matchup	Time (ET)
Packers at Lions	12:30 PM
Dolphins at Cowboys	4:15 PM
49ers at Ravens	8:20 PM
Sun. Nov. 27	
Matchup	Time (ET)
Browns at Bengals	1:00 PM
Texans at Jaguars	1:00 PM
Cardinals at Rams	1:00 PM
Bills at Jets	1:00 PM
Buccaneers at Titans	1:00 PM
Panthers at Colts	1:00 PM
Vikings at Falcons	1:00 PM
Bears at Raiders	4:05 PM
Redskins at Seahawks	4:05 PM
Broncos at Chargers	4:15 PM
Patriots at Eagles	4:15 PM
Steelers at Chiefs	8:20 PM
Mon. Nov. 28	
Matchup	Time (ET)
Giants at Saints	8:30 PM

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2011 Regular Season

Week 13	
Thu. Dec. 01	
Matchup	Time (ET)
Eagles at Seahawks	8:20 PM
Sun. Dec. 04	
Matchup	Time (ET)
Ravens at Browns	1:00 PM
Bengals at Steelers	1:00 PM
Panthers at Buccaneers	1:00 PM
Chiefs at Bears	1:00 PM
Jets at Redskins	1:00 PM
Falcons at Texans	1:00 PM
Raiders at Dolphins	1:00 PM
Lions at Saints	1:00 PM
Titans at Bills	1:00 PM
Broncos at Vikings	4:05 PM
Rams at 49ers	4:15 PM
Cowboys at Cardinals	4:15 PM
Packers at Giants	4:15 PM
Colts at Patriots	8:20 PM
Mon. Dec. 05	
Matchup	Time (ET)
Chargers at Jaguars	8:30 PM

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2011 Regular Season

Week 14	
Thu. Dec. 08	
Matchup	Time (ET)
Browns at Steelers	8:20 PM
Sun. Dec. 11	
Matchup	Time (ET)
Falcons at Panthers	1:00 PM
Vikings at Lions	1:00 PM
Raiders at Packers	1:00 PM
Buccaneers at Jaguars	1:00 PM
Eagles at Dolphins	1:00 PM
Patriots at Redskins	1:00 PM
Saints at Titans	1:00 PM
Colts at Ravens	1:00 PM
Chiefs at Jets	1:00 PM
Texans at Bengals	1:00 PM
49ers at Cardinals	4:05 PM
Bears at Broncos	4:05 PM
Bills at Chargers	4:15 PM
Giants at Cowboys	8:20 PM
Mon. Dec. 12	
Matchup	Time (ET)
Rams at Seahawks	8:30 PM

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2011 Regular Season

Week 15	
Thu. Dec. 15	
Matchup	Time (ET)
Jaguars at Falcons	8:20 PM
Sat. Dec. 17	
Matchup	Time (ET)
Cowboys at Buccaneers	8:20 PM
Sun. Dec. 18	
Matchup	Time (ET)
Dolphins at Bills	1:00 PM
Redskins at Giants	1:00 PM
Titans at Colts	1:00 PM
Panthers at Texans	1:00 PM
Packers at Chiefs	1:00 PM
Bengals at Rams	1:00 PM
Saints at Vikings	1:00 PM
Seahawks at Bears	1:00 PM
Lions at Raiders	4:05 PM
Jets at Eagles	4:15 PM
Browns at Cardinals	4:15 PM
Patriots at Broncos	4:15 PM
Ravens at Chargers	8:20 PM
Mon. Dec. 19	
Matchup	Time (ET)
Steelers at 49ers	8:30 PM

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2011 Regular Season

Week 16	
Thu. Dec. 22	
Matchup	Time (ET)
Texans at Colts	8:20 PM
Sat. Dec. 24	
Matchup	Time (ET)
Browns at Ravens	1:00 PM
Buccaneers at Panthers	1:00 PM
Dolphins at Patriots	1:00 PM
Raiders at Chiefs	1:00 PM
Jaguars at Titans	1:00 PM
Cardinals at Bengals	1:00 PM
Giants at Jets	1:00 PM
Rams at Steelers	1:00 PM
Broncos at Bills	1:00 PM
Vikings at Redskins	1:00 PM
Chargers at Lions	4:05 PM
Eagles at Cowboys	4:15 PM
49ers at Seahawks	4:15 PM
Sun. Dec. 25	
Matchup	Time (ET)
Bears at Packers	8:20 PM
Mon. Dec. 26	
Matchup	Time (ET)
Falcons at Saints	8:30 PM

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2011 Regular Season

Sun. Jan. 01	
Matchup	Time (ET)
Buccaneers at Falcons	1:00 PM
Cowboys at Giants	1:00 PM
Panthers at Saints	1:00 PM
49ers at Rams	1:00 PM
Colts at Jaguars	1:00 PM
Titans at Texans	1:00 PM
Lions at Packers	1:00 PM
Redskins at Eagles	1:00 PM
Bills at Patriots	1:00 PM
Bears at Vikings	1:00 PM
Jets at Dolphins	1:00 PM
Ravens at Bengals	1:00 PM
Steelers at Browns	1:00 PM
Chiefs at Broncos	4:15 PM
Seahawks at Cardinals	4:15 PM
Chargers at Raiders	4:15 PM

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The Huddle: The Worst Word in NFL Lockout Was 'Rebuttal'

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Apr 22, 2011

Exclusive: Roger Goodell criticizes NFL players' legal strategy

12:57 PM

By Jarrett Bell, USA TODAY
104 Comments

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With another round of mediation talks this week failing to result in a new labor deal and a federal judge poised to rule within days on whether to lift the NFL's lockout, Commissioner Roger Goodell on Friday blasted the legal strategy pursued by players as an impediment to striking a collective bargaining agreement.

Goodell addressed that topic during a wide-ranging interview with USA TODAY, expressing frustration with the uncertainty of the labor battle and concern about the impact on league economics and business partnerships.

Judge Susan Nelson, who ordered the two sides to engage in mediation talks that ended Thursday, could issue a ruling early next week on the lockout -- while the league in limbo prepares to stage its signature offseason event, the three-day NFL Draft that begins on Thursday night in New York.

"I don't think litigation is going to resolve this matter," Goodell told USA TODAY. "It's going to be resolved through negotiations and a broader collective bargaining agreement at the end of the day."

"I think it's a positive whenever you're negotiating, but clearly the litigation strategy that the union is pursuing is delaying some serious negotiations that really are going to lead to a collective bargaining agreement. That part of it is frustrating. I think valuable time is escaping us, that's putting financial risk and other risk in play. That's unfortunate for, most importantly, our fans, but also for our players and clubs."

Goodell wouldn't speculate on Judge Nelson's potential ruling on the case of Brady et al v. NFL, and how the league might respond. If the ruling favors players, the NFL is expected to appeal to the Eighth Circuit Court of Appeals and seek to have the lockout remain in force until the appeal is ruled upon.

"You have to wait and see what the ruling is before you start adjusting to a lot of hypotheticals," Goodell said. "Obviously, we recognized that they were going to pursue this litigation strategy. We were prepared for that. But again, it still needs to come back to negotiation."

The upcoming NFL Draft, which was included in the collective bargaining agreement that expired in March, won't be directly affected by the ruling.

Yet the legality of future drafts is among targets in possible antitrust action against the league. During the April 6 hearing, Nelson asked attorneys from both sides to offer visions of how the NFL would operate -- absent a CBA -- if she lifted the lockout.

Goodell wasn't in the courtroom on April 6, but undoubtedly senses the threat of a radical change to the NFL's system.

"I think when you get back and look at this, I think what's being pursued by the union attorneys is a completely different vision for the NFL than what I have," Goodell said.

"They're challenging fundamental aspects that have made the league successful and popular with the fans. They're going after the draft, as an example, pursuing the draft as illegal. They're pursuing free agency restrictions as illegal. They're pursuing aspects of the salary cap as illegal. That's what they're saying. We don't believe that. It's been negotiated. We think they've been good for the players, the clubs and, most importantly, the fans. It's what's created a successful product. So the union attorneys are attacking everything that we think has made the league successful."

Among other topics Goodell addressed:

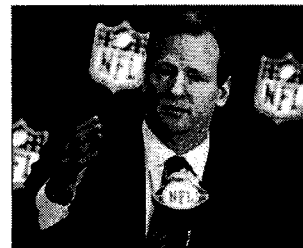
- **On whether he's advised clubs about the prospect of a rookie wage scale for this year's draft crop:** "We haven't advised them of anything. I think they're approaching the draft as they normally do. They're obviously aware of the proposals we've made."
- **On contingencies built into the NFL schedule that was released this week to account for a prolonged work stoppage:** "We recognize the uncertainty of the labor situation, but we're planning to play a full 16-game regular season and playoffs. Anytime there's uncertainty for planning events, not only the logistics, but also for business partners, it does have an impact. That's why we think that the longer it goes, it's bad for players, the clubs, our partners, and the fans. That's why we need to get this resolved sooner, rather than later."
- **On how the lockout is affecting business relationships:** "There's no question it's starting to damage the planning and promotion of the season. It's going to have a financial impact that affects the clubs and the players."
- **On former New York Giants receiver Amani Toomer comparing Goodell to the secret police of the Nazi:** "This is a labor dispute. There are negotiations going on. I don't get myself caught up in the rhetoric of any personal comments that are made. The best thing that can be done is we get back to negotiating, and we resolve this in a fair manner." (Toomer later apologized for the remark.)
- **On why he called Cincinnati Bengals receiver Chad Ochocinco:** "He tweeted me out. He asked me to call him. I talk to players all the time."

A Q&A with Goodell will be featured in Monday's USA TODAY.

See photos of: [Roger Goodell](#), [NFL Draft](#), [Chad Ochocinco](#)

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By Sean Gardner, Getty Images

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